

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,

Plaintiff,

-vs-

Clifford Edward Monteith,

Defendant.

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Case No. 2:00-cr-24

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Following a referral from the undersigned judge, Defendant Clifford Edward Monteith appeared before the Magistrate Judge for a hearing on alleged violations of supervised release conditions. The Court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Monteith's conditions of supervised release be modified (Doc. #75). Monteith filed objections to the Report and Recommendation (Doc. #80).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. The Court does not find persuasive any of the alternative recommendations proposed by Monteith in his objections. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. The Court finds that Monteith violated conditions of supervised release, as alleged in the petition, and for the reasons set forth in the Report and Recommendation, Monteith's supervised release conditions are modified as follows:

- (1) Clifford Monteith shall be placed at Lake Region Law Enforcement Center ("LRLEC"), as a public law placement, for up to six months.
- (2) While at LRLEC, Monteith shall be required to participate in the cognitive restructuring program, and should be allowed work release and passes to maintain his home so long as he complies with LRLEC rules.

- (3) Following release from LRLEC, Monteith shall be placed back on supervised release for the remainder of the term previously imposed.
- (4) Clifford Monteith shall continue to comply with any previously ordered conditions of supervised release that have not been modified above.

IT IS SO ORDERED.

Dated this 13th day of October, 2010.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court